

Message

**From:** Mississippi Department of Environmental Quality [rwilbur@mdeq.ms.gov]  
**Sent:** 7/9/2018 1:38:13 PM  
**To:** Marraccini, Davina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=66fecfe52dc84d8db7ab0859adee8426-Marraccini, Davina]  
**Subject:** News Clippings July 9, 2018 -- Full Stories

**State**

**Mississippi Funds New School Buses, Conditions Awards on Anti-Idling Policy Adoption ECOS**

The Mississippi Department of Environmental Quality (MDEQ) has awarded \$295,920 to 17 school districts to apply to the purchase of new school buses for the upcoming school year. The rebates were provided to the school districts toward the purchase of new diesel powered buses with more stringent pollution controls to replace older buses thus reducing emissions of particulate matter, hydrocarbons, and carbon monoxide.

Since 2009, the MDEQ Diesel School Bus Replacement Program has awarded more than \$1.08 million to 38 school districts for the purchase of 67 school buses.

"Because thousands of Mississippi children begin and end their days with a trip on a school bus, providing for clean school buses is an ongoing priority for MDEQ," said MDEQ Executive Director Gary Rikard. "School buses are the safest and most efficient way to transport students, but we want to ensure that it's a healthy trip."

MDEQ has also encouraged school districts to adopt anti-idling policies, and the implementation of such a policy is a requirement for the districts that received funds for buses this year. Stricter emissions standards for diesel engines, including school buses, were implemented in 2007 by U.S. EPA.

More information is available [here](#).

<https://www.ecos.org/news-and-updates/mississippi-funds-new-school-buses-conditions-awards-on-anti-idling-policy-adoption/>

**SUNDAY FOCUS: Illegal dumping a serious issue in area**

Vicksburg Post

Of the many problems facing city and county government, one of the most serious is illegal dumping.

Illegal dumping is the disposal of trash such as household garbage, building materials, old appliances and furniture and toxic chemicals on someone else's property or a public right of way, usually some out of the way place where the person or people dumping the trash believe it won't be noticed. And the problem, city and county officials say, is widespread.

"Illegal dumping, if I go back to when I started with the city more than 13 years ago, was more or less (in) isolated areas," said North Ward Aldermen Michael Mayfield, who is over the city's solid waste and community development programs. "But they've (dumpers) brought it to the forefront.

"Now they're dumping materials, (animal) carcasses and everything else, and in most cases, they're putting it on the rights of way, where they know if you can find it, it would be noticeable from the road. It's causing a big problem. I know one dumpsite where we've found everything but a body to this point."

County Administrator John Smith said the county has no ordinance concerning illegal dumps, adding the county follows state laws concerning illegal dumping and littering. He said county road crews look out for illegal dumps when they are working.

Warren County Sheriff Martin Pace said his deputies are also watching for illegal dumps, adding when they are found they are reported to county solid waste officer Katie Strong. If deputies are able to locate the person responsible for the dump, that person is arrested.

"If we catch them in the act, they are arrested," he said. "If the person or persons responsible for the dump are discovered through an investigation, then the county prosecutor is notified and he issues a warrant for their arrest through Warren County Justice Court."

Pace also said anybody who sees someone dumping illegally should call 911.

"Try and get a description of the vehicle, and if you can, get a tag number," he said.

People caught and arrested for illegal dumping, Pace said, are charged under the state laws.

Smith said the dumps are cleaned up through a Mississippi Department of Environmental Quality program that reimburses the county up to \$50,000.

"We give them a list with pictures the of illegal dumpsites that we have come across, and we give them an estimate on how much it's going to cost to clean them up with our crews, and when it gets completed, we give them a final accounting of our manpower and equipment with dumping costs at a proper landfill," he said.

#### **Fines can be hefty**

On some occasions, Smith said, people caught dumping illegally may be turned over to DEQ for punishment.

The city of Vicksburg has an ordinance in its city code prohibiting littering and illegal dumping, assessing a fine from \$50 to \$1,000 and/or 90 days in jail. Each violation, according to the law, is treated as a separate offense.

Mayfield wants to see the fine set at \$1,000 and some jail time for the first offense.

"I'm definitely going to push for the jail time, because the fine's not working," he said.

He said the Board of Mayor and Aldermen, the community development department, which includes the inspection department, and police are trying to catch illegal dumpers in the act. And most of the sites, he said, are in the city's North Ward, because the area has a lot of old houses and there are isolated places where people can dump trash and leave.

Mayfield said the city is also looking to begin placing cameras near some of the worst sites.

"I've tried to get the general public to pay much closer attention to what's being dumped in their community," he said. "I've received very little support from the communities where most of these dumpsites are. I can understand that, and it's mainly because of the fear factor. People are afraid if they were to see someone dumping and tell, that person might come back and try to harm them."

He said he has published his office and cell phone numbers, and urged people to call, recommending they get a photograph of the person dumping and the tag number. "If we get a tag number and/or a description of the vehicle or the person, then we have something we can hang our hat on as far as pressing charges against these individuals.

"If you get caught, you're going to get arrested; you're going to pay a fine; and you're going to be totally responsible for cleaning that area up," he said, "which means in most cases, you're going to be dealing with DEQ."

Illegal dumps on private property, Mayfield said, become the responsibility of the property owner to clean. If the property owner fails to clean the dumpsite, they can be cited under the city code and forced to clean it up or the city will clean it at the property owner's expense.

The irony of the situation, Mayfield said, is most of the items being dumped illegally — like yard debris and trash — would be picked up in front of their house by Waste Management if the items were set out for collection. Building materials, he said, can be taken to Waste Management's yard on U.S. 61 South.

"We need people to adhere to the community in which they live, and we start paying attention to what's around us and then be more involved in cleaning their community," he said.

<https://www.vicksburgpost.com/2018/07/07/sunday-focus-illegal-dumping-a-serious-issue-in-area/>

#### **SUNDAY FOCUS: Anti-litter committee wants efforts increased**

Vicksburg Post

A group of local individuals are committed to battling litter in Vicksburg and Warren County, while also bringing awareness to the community about the negative impact litter has environmentally, as well as economically.

Carol McMillin, who is the North Ward representative on the Keep Vicksburg Beautiful Committee, is also a member of the anti-littering sub-committee of KVBC. Vicksburg has been her home for 43 years and she wants people to take pride in their community.

"Vicksburg is a wonderful city, rich in natural beauty and graced by the mighty Mississippi River," McMillin said. "It is where I had my career and where I raised my family. I consider it a privilege to live here."

She said that privilege comes with a responsibility. "And I believe we all need to be responsible for making sure our city is not littered."

"We all need to be good stewards of our community and our entire environment. We have so much to enjoy and so much to share with others, our history and our hospitality, but it all pales when our city is littered with food containers, bottles, and other discarded items."

She and the KVBC would like for Vicksburg to increase its recycling efforts. McMillin said she came across an interesting statistic that the Environmental Protection Agency estimates every American generates 4.3 pounds of garbage every day, which means 1,569.5 pounds for each person every year. With the U.S. population now at 285 million, this equals to 447,307.5 million pounds of trash every year.

"This should get all of us moved out of complacency and involved in recycling," McMillin said. McMillin said there are three primary goals of the anti-litter committee they call "the three E's" of their campaign – educate, enforce and eliminate.

It begins with educating and informing the public in regards to the cost of litter on the community. It is expensive and taxes city crews and finances to pick up litter, but there is also lost revenue in tourism and business opportunities due to the amount of trash noticeable on roadways.

The anti-litter campaign also supports the city and law enforcement in enforcing the litter ordinance, making the public aware of the existing ordinance and informing them it will be enforced.

And lastly, to clean up Vicksburg's litter.

"I was taught there is a place for everything and everything should be in its place," McMillin said. "Litter does not belong on our streets, along our roadways and in our parks and recreational areas. Litter should be discarded properly."

The Keep Vicksburg Beautiful Committee wants the public to get involved in the anti-litter campaign and will meet July 19 at 3 p.m. in the Community Development Building, 819 South Street (the old library).

"I hope that our efforts will be joined by all of Vicksburg, because it will take all of us to keep our city clean and free of litter," McMillin said.

<https://www.vicksburgpost.com/2018/07/07/sunday-focus-anti-litter-committee-wants-efforts-increased/>

### **3 companies want Brookhaven's trash contract**

Daily Leader

The fate of the city's garbage is in Brookhaven aldermen's hands.

The board will decide between three trash collection services Tuesday at a special called meeting at 6:30 p.m. in the Lincoln County-Brookhaven Government Complex.

Representatives from Arrow Disposal Services Inc., Metro Services and Waste Pro met with aldermen for a question and answer session June 21, nearly two months after request for proposals (RFPs) were accepted.

The Alabama-based ADSI proposed \$11.50 per household for once-a-week pickup and \$15 for twice a week. Metro, out of Louisiana, proposed \$10.16 for once and \$12.83 for twice. The current contract-holder, Waste Pro, proposed \$10.92 for once and \$11.46 for twice.

Their current cost of garbage pickup for the city is \$12.34 for twice a week pickup.

The companies' per-household costs are not the final costs that customers will see, as other fees and expenses are added to garbage bills.

The Lincoln County Board of Supervisors July 2 awarded a three-year contract for trash pickup to Arrow, which will take over the duties Oct. 1. ADSI will replace WastePro, which has come under intense scrutiny from supervisors after missed pickups and poor communication in recent months.

Brookhaven aldermen have heard similar complaints from constituents and even each other. "Waste Pro did not come Monday, which is our street's first scheduled day for pickup," Ward 6 Alderwoman Shelley Harrigill said Thursday. "They did not come Tuesday or Wednesday to catch up and as of 9 a.m. today, our second scheduled day of pickup, they still have not come." Harrigill said Friday they finally picked up her trash Thursday afternoon and then tossed the can into the ditch where her neighbor retrieved it so her elderly father wouldn't have to.

At the June 21 meeting, Ward 1 Alderman Dorsey Cameron questioned ADSI and Metro about a contingency plan for missed garbage.

"I've gotten calls that a whole street has been missed. What kind of guarantee are you all going to have if you get a call from us? They're holding us accountable when the garbage is missed," Cameron said.

Harrigill also asked Waste Pro at that meeting how they could say they had a near-perfect efficiency rate.

"You represented to this board you have a 99.993 efficiency rate," she said. "I want to know who evaluates and comes up with that number, because I've only been on this board for 11 months and garbage has been the biggest complaint and headache, and if you want to say in 11 months you have 99.993 efficiency, I don't have a clue what you're talking about and I want you to tell me why you made that representation to us."

Waste Pro representative Jolene Johnson said that in a month the handlers record 54,915 total touches of trash. She said the company received 143 complaints in the last four full months of pickups for an average of 36 complaints, or misses, per month.

"Even though some of those were completed after the fact, we still counted them as complaints," she said.

Johnson said the 36 is divided by the number of "touches" in a month.

Harrigill, an attorney, didn't accept that answer.

"You have not been receiving all your complaints, we have," she said. "We're giving you the complaint numbers so you don't actually know what the complaint totals are. You're not responding, we are. We shouldn't be getting the complaints to start with. Right there shows that whatever your efficiency number, it can't be possibly be anywhere near 99 percent because we're getting the complaints and having to respond. We've had to hire someone to take your complaints and give them back to you."

The city severed its contract with Waste Pro for debris pickup earlier this year and took on the duties itself after continued complaints over missed pickups.

Mayor Joe Cox said the board can ask representatives of the three companies questions Tuesday, but the deadline for negotiating has passed.

"Our intention is to walk out of there with a decision and award a contract effective Oct. 1," he said.

<https://www.dailyleader.com/2018/07/06/3-companies-want-brookhavens-trash-contract/>

### **Former Miss. Power president, who helped lead the Coast after Katrina, dies from ALS** Sun Herald

Anthony Topazi, a former Mississippi Power Co. president who worked tirelessly to unify and rebuild South Mississippi after Hurricane Katrina, died Friday from complications from ALS, also known as Lou Gehrig's disease.

Topazi was widely lauded for helping to restore power to South Mississippi residents less than two weeks after Katrina.

"Every meeting, every tough decision, every priority ... Anthony was in the middle of it," said John Hairston, president of Hancock Whitney Bank and the chairman of the Gulf Coast Business Council, which Topazi was founding chairman. "He was an inspiration to work with in the years we served together, whether business or social. His energy was boundless."



Topazi was tapped in 2004 to lead Mississippi Power after working years at Alabama Power. He had experience responding to disasters such as hurricanes, tornadoes and ice storms, which proved invaluable when Katrina hit on Aug. 29, 2005.

In a 2012 Sun Herald story, staff writer Anita Lee recounted Topazi's role in the chaotic weeks after the storm.

"Temporary headquarters were set up at Mississippi Power's Service Center on 28th Street in Gulfport," the story said. "Topazi went on television to say power would be restored in two weeks to all customers who could handle it.

"Some of the work crews milling about that night saw the broadcast. 'Are you crazy?' they asked Topazi. 'Have you been outside? Do you realize how much damage there is?'" Topazi said: 'I do. I have faith in you that we can get it done.'"

"He recalled: 'One of my philosophies that I adopted somewhere in my career is, set goals that stun and inspire. They were stunned, but then they were inspired to get it done.'"

"He wrote on a board in the office: 'Don't let anything or anyone stand in the way of getting power restored by 6 p.m. Sept. 11.'"

"When someone brought up a seemingly insurmountable obstacle, Topazi pointed to the board. And the crews found a way to get it done. They beat the goal by one day, finishing up Sept. 10 at 6 p.m."

Former Gulfport Mayor George Schloegel said Saturday, "for a relatively small utility company, that was a Herculean task."

In the months after the storm, Topazi was appointed vice chairman of the Governor's Commission on Recovery, Rebuilding and Renewal to help lead the Coast back.

Topazi founded the Gulf Coast Business Council in the summer of 2006 to continue the community's long-term planning for rebuilding the Gulf Coast, according to Brian Sanderson, who served as the first full-time president of the council.

"He inspired many people on the Gulf Coast to work toward that vision, and what we do have today is a direct result of that vision," Sanderson said Saturday. "He was able to capture the attention of business and political leaders on the Gulf Coast and in the state to get behind a unified effort for long-term rebuilding and renewal. He believed it was his mission to make the Gulf Coast a better place to live. It was very personal to him. He cared very deeply about the Coast."

He left the area in 2010 for a job with the utility's parent company, the Southern Co., in Birmingham, Ala. But by most accounts, Topazi left South Mississippi a different place than when he arrived. He raised millions after Katrina, for example, for a new center that houses Coast nonprofit agencies, some of which might not have survived the storm's devastation.

"We are saddened to learn of the passing of one of the former leaders of our company," said current Mississippi Power president and CEO Anthony Wilson. He "fought a gallant fight against a dreaded disease, ALS. He will always be remembered in South Mississippi as one of the leaders who helped our resilient region rebuild after the devastation of Hurricane Katrina."

ALS is amyotrophic lateral sclerosis, a disease of the nerve cells in the brain and spinal cord that control voluntary muscle movement. ALS is also known as Lou Gehrig's disease, named for the New York Yankees great who played 17 seasons in the major leagues before he contracted the disease.

Topazi's symptoms began before he left Mississippi Power, but a diagnosis took more than a year.

Topazi worked with former Gov. Haley Barbour during the aftermath of Hurricane Katrina, becoming a driving force for economic redevelopment for the Gulf Coast.

"He was a model of corporate and community leadership in the wake of Hurricane Katrina," Barbour said Saturday. "He really was a giant in the story of Mississippi's response and recovery.

"He was a great ally to me and a true friend."

Funeral arrangements for Topazi are not yet known.

<https://www.sunherald.com/article214487634.html>

**This monster of an alligator once roamed Mississippi**  
Clarion Ledger

Deinosuchus isn't a name you hear every day, and there's a reason for that — the creature has been extinct for millions of years. But when it lived, it was an alligator of incredible size, and some of them lived in what is now Mississippi.

"We don't have a lot of bodies," said David Schwimmer, a paleontologist with Columbus State University in Georgia. (Yes, he knows. More on that in a minute.) "We have mostly skulls, so we have to extrapolate.

"The most conservative estimate among my peers is 35 feet, and the most optimistic is 45 feet. Forty feet is a good round number."

A full-size extended cab pickup is about 18 feet in length, so a mature deinosuchus could be longer than two pickups. The lanes of an interstate are 12 feet wide, so a deinosuchus could block three lanes of traffic — and cause a lot of panic, too.

Deinosuchus also dwarfs our modern alligator. The world record alligator taken by a hunter was 15 feet, 9 inches and weighed 1,011 pounds, 8 ounces.

### **Putting meat on the bones**

Calculating the weight of a deinosuchus is a bit of a guess. It's unknown if the structure was more like a crocodile or an alligator. But either way, it would take heavy machinery to lift one.

"Probably about 7 to 8 tons," Schwimmer said. "It depends on the body structure.

"Alligators are heavier in length than crocodiles. I'd say 8 tons is a good number if you want a single number."

Although it's been extinct for millions of years, Schwimmer said deinosuchus would be almost indistinguishable from its modern descendants — except for its size, of course.

"The oldest one I've seen was 84 million years old," Schwimmer said. "The youngest one I've seen — in Texas — was 75 million years old.

"Crocodilians don't change a lot. The new ones aren't that different from the older ones, in many ways."

So, what did an 8-ton, 40-foot deinosuchus eat? Whatever it wanted.

"Like alligators, deinosuchus could have eaten essentially anything," Schwimmer said. "The biggest ones probably ate dinosaurs."

### **David Schwimmer? Really?**

If you are a fan of the television series "Friends," Schwimmer's name is probably making your head swim. One character in the series, Ross Geller, was played by actor David Schwimmer. In the series, Geller was a paleontologist.

Coincidence?

"I saw the name on the TV screen, and I said, 'Wow,'" Schwimmer said. "My impression was it was strange, but I doubt it was a coincidence. He was supposed to be a vertebrate paleontologist from New York City, which is where I'm from."

There are other parallels: Geller worked at a museum, and Schwimmer said references in the series made him believe it was the American Museum of Natural History. Schwimmer said he has worked with that museum in the past.

"How many coincidences can be coincidences?" Schwimmer asked. "I don't know."

Aside from the jokes the TV series caused, Schwimmer said there has been a positive change for him.

"Since he became popular, I don't have to tell people how to spell my name anymore."

### **Mississippi's monster**

Deinosuchus remains have been found along the East Coast, Gulf Coast, in Texas and several western states. Fossilized pieces have also been found in Mississippi.

"We have several pieces, but our best specimen is the skull," said George Phillips, paleontology curator at the Mississippi Museum of Natural Science. "We have a couple of jawbone pieces and some teeth.

"It was found in Tupelo in a creek. It was found Aug. 6, 1978."

The skull, which is located at the museum, is actually not a complete skull. However, Phillips was able to compare its measurements to those of several modern alligator skulls to determine an approximate length.

"I made two measurements of five modern alligator skulls of widely varying size from our collection of Mississippi alligators," Phillips said. "The skulls were from individuals ranging from 4 feet to 14 feet long."

After plotting the measurements, he calculated a length of 26 feet.

"It is believed our specimen and the Alabama specimen are sub-adults of the Texas species, or this eastern population was just smaller."

### **Need a bigger boat**

Alligator hunting has become a highly popular sport in Mississippi and many hunters dream of catching a state or world record. However, Mississippi Department of Wildlife, Fisheries, and Parks Alligator Program Coordinator Ricky Flynt said hunting an alligator the size of *deinosuchus* with the methods hunters are required to use would be impossible.

"I would say absolutely not," Flynt said. "I would compare that to catching a whale out of a jon boat."

"You're just not going to do it. Furthermore, who's got a rod that could hold one, or the line?"

<https://www.clarionledger.com/story/magnolia/2018/07/09/mississippi-hunting-ancient-gator-species-too-big-catch/759097002/>

## **State Government**

### **Bryant wants transportation funding session, but no deal yet**

AP

Mississippi lawmakers could be called into special session in August to earmark money for transportation, but it's unclear how close they might be to a deal as key House members say they've had little communication with senators and Lt. Gov. Tate Reeves.

Republican Gov. Phil Bryant raised the possibility of the special session Friday, saying he aims to increase transportation spending by \$200 million a year, using money from tax collections on internet sales, newly legalized sports betting and creation of a state lottery.

"It will not be gasoline tax," Bryant told reporters.

He said Reeves and House Speaker Philip Gunn have talked.

"I think we're very close to an agreement of an infrastructure bill that we'd be very proud of," Bryant said.

Republican Gunn, a leader in a Baptist church in Clinton, has long opposed a state lottery.

"He's said a billion times that he's opposed to a lottery because of principled beliefs and poor economics," spokeswoman Meg Annison said Friday.

But Bryant and top House Republicans expressed confidence Gunn would allow the House to vote on a lottery bill.

"There are some things we've all disagreed on, but I think you'll see the House to take a vote on that," Bryant said.

Support for a lottery continues to build among Republicans.

"I believe a sufficient number of members of the House have come to him and told him they were in favor of it," said Rep. Charles Busby, a Pascagoula Republican.

The plan could face an obstacle in House leaders' desire to have what they call a tax swap, imposing about \$160 million in new fuel taxes while eliminating the state's 4 percent income tax bracket on yearly income between \$5,000 and \$10,000.

Republican Reeves has opposed any fuel tax increase, instead proposing to use cash when the state finishes a budget year with money left over.

"We will have to carefully consider how to balance those real infrastructure needs with the concerns of local elected officials around the state, and we're still in discussions about the best way to do that," Reeves said in a statement.

House Ways and Means Committee Vice Chairman Trey Lamar, a Senatobia Republican, said House members still want to divert more than \$100 million a year in tax collections on internet sales to city and county needs. During the regular session, Reeves wanted cities to match state infrastructure dollars, but House leaders balked.

Without the tax swap, that could leave less than \$100 million annually for the Mississippi Department of Transportation to increase spending on state roads and bridges. Transportation commissioners say \$400 million more each year is needed to prevent deterioration of highways. Bryant also said Friday he wants a plan for spending \$700 million in economic damage payments from 2010's Deepwater Horizon oil spill. Discussions about that collapsed in the final days of the session, but Busby and Lamar both expressed confidence a deal could be reached, probably spending 75 percent of the money on the Gulf Coast and 25 percent elsewhere.  
<https://www.sunherald.com/news/business/article214433999.html>

### **Mississippi governor names Shad White as new state auditor**

AP

Mississippi Gov. Phil Bryant on Friday named an attorney who leads a conservative legal group to be the new state auditor.

Shad White, 32, has been Mississippi Justice Institute director since December. He has also been involved in Republican politics for years, including working as a policy adviser in 2011 for then-Lt. Gov. Bryant and running Bryant's campaign for a second term as governor in 2015. "He is uniquely prepared for this job," Bryant said during a news conference at the Governor's Mansion.

White has never held elected office, although Bryant said he will help White campaign for a full four-year term in 2019.

White succeeds Republican Stacey Pickering, a former state senator from Jones County who has been auditor since 2008 and is resigning the \$90,000-a-year job July 16 to take a \$122,500-a-year job as director of the Mississippi Veterans Affairs Board.

White will serve the rest of the current four-year auditor's term, which ends in January 2020.

"I'm going to work myself to the bone to make sure that Mississippi is as free from corruption as we can possibly get," White said. "I promise you that. I promise you that I will always tell you the truth, even if it is not fun, even if it makes some people uncomfortable, even if it makes some people who are politically powerful uncomfortable. I don't care."

White earned a bachelor's degree in economics from the University of Mississippi, and was then a Rhodes scholar, earning a master's degree in economic history from Oxford University. He later earned a law degree from Harvard. He also holds a certificate in forensic accounting, which is used to detect fraud, from the University of North Carolina at Charlotte.

White and his wife, Rina, live in Rankin County. He grew up in the Jones County town of Sandersville, where his mother has been a teacher and his father still works in oil fields. His father is a former alderman and is now mayor in the town of about 730.

White said Friday that he grew up watching his father come home from work, wash the dirt off his face, eat dinner and then go to city hall.

"He told me that the reason he does that is because that's what good men and women do for their communities. They serve the public," White said.

Bryant himself was appointed auditor in 1996 and served nearly 12 years. Republican Gov. Kirk Fordice chose him for the job when a Democrat, Steve Patterson, resigned after pleading guilty to a misdemeanor charge of using a false affidavit to buy a car tag. Bryant was auditor until becoming lieutenant governor in 2008.

Bryant made the announcement about White on Friday in the same spot in the Governor's Mansion where Fordice announced a generation ago that Bryant would be auditor.

<https://www.sunherald.com/news/business/article214417329.html>

### **Analysis: Bryant appointments could shape Mississippi future**

AP

JACKSON, Miss. (AP) — Mississippi Gov. Phil Bryant readily acknowledges he's in office today partly because he got a hand up from his mentor, Republican former Gov. Kirk Fordice. Now, Bryant could be shaping the state's political future by reaching down and helping other politicians advance their careers.

Bryant was elected as a Republican state representative from Rankin County in 1991, when Democrats held a wide majority in the 122-member Mississippi House. That year was also the beginning of a Republican wave in Mississippi as Fordice, a blunt-spoken Vicksburg contractor, defeated Democratic Gov. Ray Mabus to become the state's first GOP governor since Reconstruction.

Fordice took a liking to Bryant, a former deputy sheriff and a fellow true believer in former President Ronald Reagan.

Democrat Steve Patterson resigned as state auditor in 1996 after pleading guilty to a misdemeanor charge of using a false affidavit to buy a car tag. Fordice plucked Bryant from the House and appointed him auditor that October, starting Bryant on a career in statewide offices that has spanned nearly 22 years and will top out at more than 23 years by January 2020, when he ends his second term as governor.

Bryant was elected auditor in 1999 and 2003, lieutenant governor in 2007 and governor in 2011 and 2015.

In the past few months, Bryant has appointed three people into statewide offices when fellow Republicans stepped down. All three will attempt to hold onto their jobs.

In March, Bryant announced that he had chosen the second-term state agriculture commissioner, Cindy Hyde-Smith, to succeed longtime U.S. Sen. Thad Cochran when the 80-year-old lawmaker retired amid health concerns in early April. She faces three challengers in a nonpartisan special election in November, and the winner will serve the rest of the six-year term that ends in January 2021.

Bryant pulled third-term state Rep. Andy Gipson from the state House and made him agriculture commissioner. Gipson has embraced the role, wearing a cowboy hat and touring farms and other ag operations with his family.

On Friday, Bryant named attorney Shad White to succeed state Auditor Stacey Pickering, who is leaving the \$90,000-a-year job July 16 to begin a \$122,500-a-year job as director of the Mississippi Veterans Affairs Board. White has never held public office but is known in state political circles. The one-time Rhodes scholar worked as a policy adviser for then-Lt. Gov. Bryant in 2011. White has worked in several Republican campaigns, including for Pickering and Bryant. Bryant announced the new auditor in the same spot in the Governor's Mansion where Fordice announced his appointment of Bryant a generation earlier. Bryant's spokesman even shared a photo showing the same sofa and painting remain in place.

Bryant said the announcement in 1996 was "quite a moment" for him and his wife, Deborah. "I'm here to repeat that today," he added, before calling White and his wife, Rina, into the room. At 32, White will be the youngest of Mississippi's current statewide officials, but he won't be the youngest ever to hold statewide office. Current Lt. Gov. Tate Reeves was 29 when he won his first of two terms as state treasurer in 2003.

Republicans hold a majority in both chambers of the Mississippi Legislature and seven of the eight statewide elected positions in state government. They have held both U.S. Senate seats since January 1989.

If Hyde-Smith, Gipson and White win election to their appointed jobs and even if they move onto other offices, they could be the longest-lasting part of Bryant's legacy.

[https://www.apnews.com/amp/f175b8fcd2744537a73d16107ba55bf3?\\_twitter\\_impression=true](https://www.apnews.com/amp/f175b8fcd2744537a73d16107ba55bf3?_twitter_impression=true)

### **Forestry commission sends ground support to Colorado** **WTOK**

The Mississippi Forestry Commission has deployed a ground support unit leader to Colorado to assist state and federal partners with wildfire suppression efforts.

MFC says its representative is normally stationed in Region 3, which serves the counties of Claiborne, Clarke, Copiah, Covington, Hinds, Issaquena, Jasper, Jefferson, Jones, Lauderdale, Madison, Newton, Rankin, Scott, Sharkey, Simpson, Smith, Warren, Wayne, and Yazoo.

The commission says it will release the leader's name after his safe return to Mississippi in about two weeks.

"We appreciate our employees taking part in these efforts to help our state and federal partners in Colorado. Fighting the destructive power of wildfire means that our Wildland Firefighters are

working in extreme conditions protecting people's lives, homes, and forestland," said state forester, Charlie Morgan. "We are proud of his service and look forward to his safe return home in approximately two weeks."

The Spring Creek Wildfire is estimated to have burned over 54,000 acres according to reports released July 6. At least 132 homes have been destroyed and 119 homes have been damaged. The fire is estimated to be 45 percent contained at this time.

<http://www.wtok.com/content/news/Forestry-commission-sends-ground-support-to-Colorado--487539851.html>

## ***Oil Spill***

### **POPPS FERRY CAUSEWAY PARK UPDATE WXXV**

Coast residents have been waiting for the Popp's Ferry Causeway Park to open for the last 30 years.

After the ribbon cutting has been pushed back two different times, eager park-goers are still waiting. Public Affairs Officer for the City of Biloxi Vincent Creel tells News 25 while the park looks like it is good to go there are still some minor finishing touches to be done before it can open.

Creel also says on Tuesday it was announced the vendors for the park bait shop would be the same people who own the Fillin' Station in downtown Biloxi. "It is going to be a bait shop, a kayak rental, but on top of that it is essentially going to be a restaurant. It's going to have a liquor license. It's going to serve beer and wine and the city is also making that a leisure area out there."

The city says the park should open in the next 30 days, but no date on when the bait shop will open.

<https://www.wxxv25.com/2018/07/06/popps-ferry-causeway-park-update/>

### **Study examines what lives in the Gulf of Mexico after BP disaster Tampa Bay Times**

TAMPA — Eight years ago, when the Deepwater Horizon rig exploded and sank off Louisiana, one of the big problems facing scientists trying to assess the damage caused by the oil spill was that no one knew much about what lives in the Gulf of Mexico.

That's no longer a problem, according to the University of South Florida's College of Marine Sciences.

Partially funded by money BP had to pay after the 2010 disaster, USF scientists joined with colleagues from three other universities to put together the first-ever comprehensive look at what fish and other wildlife call the gulf their home.

Compiling the data for their study, just published in the scientific journal *Marine and Coastal Fisheries*, required 12 separate voyages over seven years on the USF research ship R/V *Weatherbird II*. That included two trips to Mexico and one to Cuba, according to lead research scientist Steve Murawski of USF.

During those voyages the scientists caught 15,000 fish of 166 species from 343 locations. They tested the specimens for oil residues and other pollutants. Overall, the degree of oil contamination of fish from the northern gulf continues to decline, the report said, but none of the areas assessed so far has been free of oil.

One surprise in their findings, Murawski said, was that the part of the gulf with the lowest diversity of fish species is the area of the gulf with the greatest number of offshore oil rigs.

"They've had 50 to 60 years of oil development there," he said. "So that may be one of the at-risk areas" in case of a future oil spill. A disaster like Deepwater Horizon could more easily wipe out the fish living there to the point where they could not bounce back, he said.



Another surprise was how different the area off Cuba is from the rest of the Gulf, he said. All around the gulf, the continental shelf keeps the water fairly shallow for a long way out from the shoreline, he explained. Not in Cuba, though.

What lives in the Gulf of Mexico

Top five species found in the Gulf of Mexico by USF research scientists and their colleagues:

1. Atlantic sharpnose shark
2. Red snapper
3. King snake eel
4. Tilefish
5. Gulf smoothhound

"It's more like a coral reef area, where 2 miles off the beach the water is a mile deep," he said.

The most difficult aspect of the study: navigating all the bureaucratic requirements to take the research vessel to Mexico and Cuba, he said.

But those trips proved crucial to painting a full picture of the population of the gulf, he explained.

Co-authors on the study included scientists from the Universidad Nacional Autonoma de Mexico, the Universidad de La Habana and Texas A&M.

"Everybody was keen to look at the Gulf of Mexico as an ecological organism, not just chopped up into little pieces," Murawski said. "We hope this will open the door to more of these kinds of studies."

Seeing the results, he said, made him wish the government had required oil companies to do this kind of research before allowing them to drill for oil offshore. That way, scientists would not have been in the dark about what marine life was lost or destroyed as a result of the Deepwater Horizon disaster.

<http://www.staugustine.com/news/20180707/study-examines-what-lives-in-gulf-of-mexico-after-bp-disaster>

## *Regional*

### **EPA to investigate Alabama's environmental agency**

Al.com

The U.S. Environmental Protection Agency's civil rights office has formally agreed to investigate the Alabama Department of Environmental Management's civil rights policies, in a move that could jeopardize millions of dollars in federal grants that ADEM receives every year.

The EPA's External Civil Rights Compliance Office issued a letter dated July 2 stating that it would investigate "whether ADEM has adopted grievance procedures that assure the prompt and fair resolution of complaints," as required by the Civil Rights Act of 1964.

Earlier this year, ADEM Director Lance LeFleur abruptly rescinded the department's policies for accepting civil rights complaints. The change came in the midst of a court battle challenging the substance of the policies, and the process by which they were adopted.

David Ludder, the attorney who filed the complaint against ADEM, asked the EPA to force ADEM to enact new civil rights policies as quickly as possible, or begin the process of revoking millions of dollars in federal funding ADEM receives through EPA grants and other programs.

ADEM External Affairs Chief Lynn Battle told AL.com Thursday the department would not comment on the matter due to the ongoing litigation.

Ludder -- who previously worked for ADEM -- filed the initial complaint against the department on behalf of Alabama residents living near landfills or wastewater treatment plants who say the department approved permits for those facilities in areas largely inhabited by minorities.

The complaint also alleged that ADEM's civil rights complaint policies functioned as a rule, but had not gone through the mandatory rulemaking process, including the public notice and comment requirements.

"My contention is that the procedures that were rescinded were not supported by statutory authority and they were just a sham, a pretense, so ADEM could collect financial assistance from EPA without any real intention of providing protection for minorities," Ludder said.

After ADEM rescinded the policies that were being challenged in state court, Ludder filed a complaint with EPA stating that the department did not have in place mandatory grievance policies.

Ludder said he believes implementing an adequate civil rights complaint policy may require action the state legislature, and will take some time to accomplish.

"It'll probably take a year, at minimum," Ludder said. "But ADEM needs to get moving on it."

ADEM's civil rights record has been challenged multiple times in recent years. The EPA dismissed two civil rights complaints against ADEM in March, stating it found insufficient evidence of discrimination. In that decision, the EPA did not address the procedural matters at issue in the latest complaint.

[https://www.al.com/news/index.ssf/2018/07/epa\\_to\\_investigate\\_alabamas\\_en.html](https://www.al.com/news/index.ssf/2018/07/epa_to_investigate_alabamas_en.html)

## **TVA absorbing higher costs to cool new Memphis power plant**

### **Commercial Appeal**

Rising 77 feet above the bustle of Frank C. Pidgeon Industrial Park, the two newly built 2.5 million-gallon storage tanks at the Allen Combined Cycle Plant stand as shiny symbols of a massive and costly change in plans.

The Tennessee Valley Authority spent \$15 million completing the twin structures even though they were not included in the original plans for the \$975 million natural gas-fired power plant. The tanks became necessary after environmental concerns forced TVA to change, at least temporarily, its method of obtaining cooling water for the facility.

Although it had planned to use 650-foot-deep wells drilled into the Memphis Sand aquifer, the federally owned utility for the foreseeable future will purchase the cooling water it needs — an average of 3.5 million gallons daily — from the Memphis Light, Gas and Water Division.

The two 86-foot-diameter tanks, which were put into service June 29, are used when the plant is operating at or near capacity for extended periods, especially during hot summer weather. They also would provide a backup supply in the event of a disruption in water service.

### **Contamination forced change in plans**

The plant in Southwest Memphis began operating this spring, generating up to 1,150 megawatts of power, enough to serve more than a half-million homes.

TVA turned to MLGW for its cooling water after exorbitantly high levels of arsenic and other toxins were found in a shallow aquifer beneath coal ash ponds at the nearby Allen Fossil Plant, which was replaced by the gas-fired facility. Subsequent tests showed that the pumping wells at the new plant could pull water from the contaminated shallow aquifer into the Memphis Sand, which supplies drinking water for Memphis and other municipalities.

TVA spokesman Scott Brooks said the agency remains committed to purchasing cooling water from MLGW at least until the contamination is fully investigated and remedied. The Tennessee Department of Environment and Conservation is reviewing TVA's plans to study the problem. The tanks wouldn't have been needed had the wells been used. TVA had been planning to get its regular cooling-water supply from four of the 650-foot-deep wells, with a fifth well serving as a backup source.

During an August 2016 meeting, TVA President and CEO Bill Johnson told members of the agency's board that the prospect of building large, costly storage tanks was among the reasons officials favored the use of well water. TVA is required by law to generate power at the lowest feasible cost.

"We could not get sufficient water from MLGW at peak operating levels, and to do that would require significant upgrades to their system and require the additional construction of multimillion-gallon, large storage tanks at Allen for supplemental cooling water," Johnson told the board.

After the discovery of the high levels of arsenic last year, however, TVA announced it would refrain from using the wells, which had been authorized in permits issued by the Shelby County Groundwater Quality Control Board in 2016.

### **'Gray water' studied as possible option**

Environmentalists, many of whom opposed the wells even before the discovery of the arsenic contamination, said the need for costly storage tanks shows that TVA should have used effluent, or "gray water," from a nearby sewage treatment plant to cool the Allen facility.

TVA initially considered using gray water from the T.E. Maxson Wastewater Treatment Facility but eventually opted for wells after determining it would cost too much to adequately treat the effluent. Officials also were reluctant to rely solely on the Maxson facility for cooling water.

"I think it's really a shame that TVA did not listen to the concerns of local citizens who were trying to help them make the right decision to begin with," said Scott Banbury, conservation programs coordinator for the Sierra Club's Tennessee chapter.

In addition to avoiding the need for costly storage tanks, the use of gray water "would've shown TVA's commitment to environmental stewardship," he said.

But Brooks said the gray water option remains unfeasible. TVA estimates it would cost between \$9 million and \$23 million to construct a treatment plant to sufficiently purify the effluent for use in the highly efficient plant. The agency would spend an additional \$6 million a year operating and maintaining the treatment facility.

In addition to the costs of the tanks, TVA is spending extra money buying utility water instead of pumping its own. MLGW is projecting water revenues of \$1.7 million a year from sales to the plant, Gale Jones Carson, director of corporate communications for the utility, said in an email.

Water to the TVA plant comes from MLGW's Davis Pumping Station, which taps the Memphis Sand and is about 3 miles away, near West Shelby Drive. To better serve the Allen plant and other facilities in the industrial park, MLGW is installing a water main extension from the pumping station to an existing main on Paul R. Lowry Road.

<https://www.commercialappeal.com/story/news/2018/07/06/tva-mlgw-cooling-water/759124002/>

## **Key witnesses take the stand in week two of federal bribery trial of Balch lawyers and coal VP**

Al.com

Week two in the federal bribery trial of two lawyers and a coal company executive saw the prosecution's key witness - a former state legislator who they allegedly bribed - take the stand. Witnesses included former state Rep. Oliver Robinson; the CEO of Drummond Company; the southeast regional director of the Environmental Protection Agency; and the state's current Alabama Department of Environmental Management director.

They all took the stand in the trial for Drummond Vice President of Government Relations David Roberson, and Balch & Bingham lawyers Joel Gilbert and Steven McKinney. The three men are accused of bribing Robinson to oppose prioritizing the cleanup of a north Birmingham area turned EPA Superfund site, and to oppose expanding the area.

In the first week, Assistant U.S. attorneys from the Northern District of Alabama asked Balch executives about the consulting contract between the firm and the Oliver Robinson Foundation, and emails between the three men.

Drummond CEO Mike Tracy said Monday that Roberson - a registered lobbyist - was tasked with monitoring the state legislature and keeping up relationships with government officials. He said in 2013, the company received a letter from the EPA designating Drummond as a potentially responsible party for the cost of the Superfund site cleanup. Of the 1,100 residences sampled by the EPA, approximately 400 showed elevated levels of toxic chemicals.

Tracy said the company hired Balch to tackle the matter, and Roberson agreed with Gilbert that Drummond needed to be in the north Birmingham community and work with its residents to "get our side of the story out."

President and CEO of American Cast Iron Pipe Company Van Richey also testified. He joined the Alliance for Jobs and the Economy in 2015, after seeing a presentation Gilbert made at the Balch office. Richey said he was told the AJE was formed to educate business leaders in the Tarrant area about the "government overreach" in the community, to hire scientists for research, and to pay for legal help. His company paid approximately \$60,000 to the organization.

Tuesday, Robinson took the stand. He talked about his life, growing up in Gate City and playing basketball at UAB before being drafted to the San Antonio Spurs. After an injury left him unable

to play professionally, he came back to Birmingham. Robinson was elected to the state House in 1998.

Robinson said Roberson approached him and asked for help with Drummond's Superfund issue. They spoke in 2014, and again later that year at a business council meeting. Roberson asked the then-legislator to meet at the Balch office, and Robinson agreed.

In that meeting with Gilbert, Robinson said, the two men asked him who he knew that could run against a city councilor that sided with the EPA. They also asked him about any of his contacts who could possibly help oppose the EPA. "In essence, they wanted me to use my influence as a legislator," Robinson said.

In December 2014, Robinson agreed on a consulting contract with Gilbert. The money, paid directly by Balch, would be sent to Robinson's nonprofit organization the Oliver Robinson Foundation.

Robinson also talked about various meetings he had where he used talking points, sent by Gilbert and copied to Roberson, and also secretly recorded the meetings.

Wednesday, the Hugo Black federal courthouse was closed for Independence Day. Testimony resumed Thursday with Gilbert, Roberson, and McKinney's defense teams cross examining Robinson about his plea agreement-- where he's agreed to plead guilty to seven charges-- and his intentions with his various ventures.

When the lawyers were finished questioning Robinson, EPA Region Four Administrator and former Alabama Department of Environmental Management Director Trey Glenn took the stand. Glenn-- who led ADEM from 2005-2009 and was recently named to the EPA position-- said that in 2013 when the EPA told Drummond the company may be responsible for cleanup costs, Glenn reached out to Roberson and said his company Southeast Engineering and Consulting could help.

Glenn emailed Gilbert and Roberson a draft proposal focusing on environmental justice, community outreach, and technical and scientific support. Glenn was given the contract. He and his partner in the company, then-AMEC member Scott Phillips, talked about how Phillips must follow ethical laws and the "appropriate process." Glenn became the primary ADEM liaison, and said he told the ADEM director that he was consulting with Balch and Drummond whenever they spoke. "To me, that was important," Glenn said.

Balch was billed for the work SEC did, and said payments were received from Drummond. Glenn continued on the stand under cross examination on Friday before Lance LeFleu, the current ADEM director, took the stand. His testimony ended the day.

The trial continues Monday with another witness.

[https://www.al.com/news/birmingham/index.ssf/2018/07/week\\_two\\_ends\\_in\\_balch\\_bingham.html](https://www.al.com/news/birmingham/index.ssf/2018/07/week_two_ends_in_balch_bingham.html)

## ***National***

### **Acting EPA Chief Plans to Stick With Trump's Priorities**

**Andrew Wheeler says the agency will push for changes in the Clean Power Plan and improve how it deals with polluters and environmental crises**

WSJ

The acting head of the Environmental Protection Agency said Friday he plans to stick with President Donald Trump's priorities, including changing the Clean Power Plan, de-emphasizing climate-change initiatives and improving how the agency deals with polluters and environmental crises.

The agency's new chief, the former coal and energy lobbyist and ex-EPA staffer Andrew Wheeler, said in an interview that the agency won't shift from the direction established by Scott Pruitt, who resigned the post a day earlier amid a series of allegations of ethics and spending lapses.

"If the environmentalists think [Mr. Trump is] going to make promises and we're going to do the opposite, then there's not a lot of common ground to work on," Mr. Wheeler said. "I'm going to continue to move forward with those" priorities Mr. Pruitt laid out on behalf of Mr. Trump.

The White House on Thursday elevated Mr. Wheeler from deputy administrator after Mr. Pruitt resigned in the middle of more than a dozen ethics investigations.

Many in the business community and the GOP have welcomed the EPA's direction in the Trump era, after maintaining that the agency under President Barack Obama was excessive in its regulatory regimen and stifled business. Environmentalists cheered Mr. Pruitt's departure and have been harshly critical of Mr. Wheeler as a replacement, citing his past work for energy companies.

Mr. Wheeler spent his initial weeks at the agency going to meet career staff in headquarters and at regional offices in part to emphasize how the agency can get better at core Trump administrative initiatives, namely more clarity of permitting and enforcement and better communications with the public.

Mr. Wheeler also said he would like to ratchet down the political rhetoric surrounding the EPA.

"You might see a shift in terms of how I talk about some things," he said. "I have thought for years environmental issues need to be depoliticized. In 1991 when I came to town they were not as politicized as they are today. And I would love to return to that."

Jeff Holmstead, a former EPA official under George W. Bush, said Mr. Wheeler's decades in Washington and experience with the regulatory process mean he may avoid some of Mr. Pruitt's "missteps."

"I think Andy will be much more focused in shepherding these regulatory reforms through EPA as opposed to being out and giving speeches and making press appearances," Mr. Holmstead said. Environmental groups say Mr. Wheeler isn't much of an improvement over Mr. Pruitt.

"Like Pruitt, this veteran coal lobbyist has shown only disdain for the EPA's vital mission to protect Americans' health and our environment. Make no mistake: we'll fight Wheeler's pollution agenda with the same vigor as we did Pruitt's," Ana Unruh Cohen, head of government affairs at the Natural Resources Defense Council, said in a statement.

At the top of Mr. Wheeler's list of priorities, the acting chief said, is giving businesses and the public more certainty on how long it will be before they get decisions on environmental permitting and enforcement.

"I just think we owe it to American business to get those resolved in a shorter time period," he said. "I'm not suggesting we let these people off the hook or that people won't pay fines. But we should be able to give more certainty on the time period."

Mr. Wheeler's other major priority is better communication from the agency about risks to the public. He cited the agency's failings after the Sept. 11 terrorist attacks, a mine breach in Colorado and the water crises in Flint, Mich., as inspiration for better people with accurate, up-to-date information on health risks.

Mr. Trump came into office promising sweeping changes to the agency. That led to several overhauls from Mr. Pruitt, who started rollbacks on power-plant pollution rules, vehicle-emissions limits, and EPA's power over streams and lakes.

Mr. Wheeler said that he does believe in climate change, but that there are legal limits to what EPA can do about it. And he said he shared the administration's philosophy—long held by many Republicans—of a more narrow view of EPA authority.

Mr. Wheeler referred to his time as limited, but declined to say whether he would take the agency's top role permanently if asked. He would need to be confirmed by the Senate if he were nominated. The Senate confirmed him for the deputy post in April with a 53-45 vote.

"I'm not going to decline or accept a job I haven't been offered," Mr. Wheeler said about taking the post full time. "The president asked me to step in as the acting administrator for the foreseeable future. I don't know how long that will be, but that's up to him."

Among others who might be considered: Donald Van der Vaart, formerly North Carolina's top environmental regulator; Bryan Shaw, environmental regulator in Texas and Mr. Holmstead, who said he had no comment on whether he would consider the position.

<https://www.wsj.com/articles/new-epa-chief-plans-to-stick-with-trumps-priorities-1530919299>

**Incoming EPA chief: 'This is the right job for me.'**

Washington Post

In some ways, Andrew Wheeler — former Environmental Protection Agency career staffer, Republican Senate aide, energy lobbyist — could hardly be more different from the man he is replacing as head of the EPA.

Where Scott Pruitt was a career politician who enjoyed the limelight, Wheeler has worked behind the scenes on energy and environmental law. Pruitt filled his time at the agency by traveling the country, speaking to groups of industry executives and praising President Trump. As the EPA's deputy administrator, Wheeler has spent much of his short tenure meeting with career staffers and delving into the policy weeds at the agency's headquarters.

But this much is clear: Wheeler intends to pursue many of the regulatory rollbacks Pruitt put in motion and to carry out Trump's promises of a more efficient, less powerful EPA. A day after the president asked for Pruitt's resignation amid a flurry of ethics scandals, the EPA's acting administrator spoke with The Washington Post about what comes next. The interview has been edited for length and clarity:

**Washington Post:** How do you feel arriving as administrator under these circumstances? And what's the message you're giving to employees who have been through a tumultuous time?

**Andrew Wheeler:** I sent out an all-hands statement to all the employees yesterday evening. One, thanking the administrator for his service, and then telling everybody that it's work as usual — we're all working together — and that I share the core mission of the agency, which is to protect public health and the environment.

**WP:** Can you expand a little on that and what you're going to do in terms of continuing the policies that Scott Pruitt put in motion? As you can imagine, Democrats and environmentalists are making the argument that you're an even more skilled deregulator.

**Wheeler:** A more skilled deregulator?

**WP:** Do you reject that notion?

**Wheeler:** I don't get that notion. I'll have to think about that. I've actually seen a lot of things about me in print the last day or two. But I would say that the agenda for the agency was set out by President Trump. And Administrator Pruitt has been working to implement that. I will try to work to implement the president's agenda as well. I don't think the overall agenda is going to change that much, because we're implementing what the president has laid out for the agency. He made several campaign promises that we are working to fulfill here. But there will probably be a little bit of difference in the way Administrator Pruitt and I will talk about some issues. There have already been some differences in how I've talked to EPA employees since I've been here. You know, I had the benefit of having the longest confirmation process for a deputy administrator in EPA history. So I had some time to think about what I wanted to do as the deputy. I took a hard look at the major criticisms that the agency has received over the last 20 some years. What can be changed? What can be fixed? What can be put in a different direction? And how does all that fit under cooperative federalism, return to rule of law and getting back to basics of the agency?

Since I've been here, I've been going around talking to groups of career employees. I've been to three of our regions, and I've been to our Research Triangle Park lab in North Carolina. I've talked about what I want to try to accomplish on behalf of the administration, on behalf of the president. I really think we need to provide more certainty to the American public. And I look at certainty in three different areas. The first is certainty on permits. The second is certainty on enforcement actions. And the third — the one that's most important to me — is certainty on risk communication.

**WP:** As you know well, one of the criticisms of Mr. Pruitt was a lack of transparency in who he was meeting with and what he was doing with his time at the agency. Do you plan to put in place mechanisms to be more transparent, in letting the public be aware of the work that's being done?

**Wheeler:** I'm not going to criticize my predecessor in any way. But I will answer by saying this: I cut my teeth as a career employee here at the EPA in the early '90s working on the Community Right-to-Know Act. And I believe that my time on the Hill and in the legislation I worked on — how I addressed all statutes, how I addressed all laws — was that the more information we make available to the American public, the more transparency we have, the better our decisions will be. The more open we are, the better it is for everyone.



That's how I cut my teeth on environmental law. And that's been part of my core beliefs in the agency and how I look at environmental issues. The more transparent we are, the better understood our decisions will be.

**WP:** On climate change, that's been a key issue. As staff director, one of the things you did working with [Senate Environment and Public Works Committee Chairman James M.] Inhofe was, while he talked a lot about questioning climate science, you expanded what he talked about to really include things like the economic costs of these regulations. Can you talk a little about how you see your approach to climate, as well as science, including the changes we've seen to the Scientific Advisory Board?

**Wheeler:** Sure. There are a couple questions embedded in that. You're right, when I went over to the Senate, I personally focused more on the cost side on the climate debate — the cost-benefit and the different aspects of the legislation.

I did do my undergraduate work in biology. I do not consider myself to be a scientist, and I've always deferred to career scientists on issues of science. I've done that in the two and a half months I've been here, and I'll continue to do that. On the Science Advisory Board, I think it's important to be very transparent, and I think it's important to make sure people who serve on the science advisory boards don't have conflicts of interest.

While I was not here last year when the Science Advisory Board was reconfigured . . . I understand the desire to make sure that the people serving on the board weren't also benefiting from science grants from the agency. I do think that's important to make sure that there are not conflicts of interest. Hopefully, you saw my recusal statement where I did not seek any waivers, and I don't plan to seek any waivers. I think it's important to make sure that we address conflicts of interest very openly and upfront.

**WP:** Can you summarize where you stand on climate change and, more importantly, EPA's role in dealing with that problem?

**Wheeler:** I do believe climate change is real. I do believe that people have an impact on the climate. What's the most important — and I'm glad you asked it that way — is the second half of your question is, what is EPA's role there?

I think our role is to follow the statutes that are provided to us by Congress. And I think that the statutory directives are very small. My criticism of the Obama administration's Clean Power Plan was that it was outside the four corners of the Clean Air Act. And I think the fact that the Supreme Court took the unprecedented move of issuing a stay showed the fact that the law probably would not have held up in court. So I think as we move forward on a potential replacement for the Clean Power Plan, you're going to see us taking a hard look at what the act says and the authorities the act gives us, and we'll put something forward that follows the law. I know that there's a number of senators that would like us to go much further, but of course environmental organizations would love us to go much further. But you're not going to see the EPA, at least under my direction, make up a lot as we go along. We're going to follow the law that Congress has given us.

**WP:** To follow up on that, do you hold that, for example, the "endangerment finding" [that created the basis for regulating carbon dioxide as a pollutant] is settled law? Or would you say that there's also an open question about whether that is a proper interpretation of the Clean Air Act?

**Wheeler:** On the endangerment finding, I was very critical of the method that the agency used to come up with the endangerment finding, that they did not do independent analysis, that they relied upon the [Intergovernmental Panel on Climate Change]. And that was litigated; it was taken to the U.S. Circuit Court, and the Circuit Court upheld the EPA position. So I consider that to be settled law. There would have to be a major, compelling reason to try to ever reopen that. I don't think that's an open question at this point.

**WP:** Before coming to the EPA in recent years, you worked as a lobbyist for some of the industries that you'll now be responsible for regulating. How will you approach regulating those industries, many of which are heavily invested in what comes out of EPA?

**Wheeler:** You're right, I did work for a number of different industries, a number of different companies. I did not lobby the EPA for at least the last two years. In fact, our communications team today has tried to press me to remember how long ago it was that I actually lobbied the EPA, and I can't remember. It's been at least three or four years, maybe longer. The only EPA issue that I've actually lobbied on the last couple of years was the Energy Star program, and that

was on behalf of a client who was fighting to keep the integrity of the EPA program intact. It was to defeat a Senate Republican amendment that wanted to do away with third-party certification. So, I mean, anybody could take a look at any one of my clients and say, "Well, you might be biased this way or you might be biased that way." I've spent a career working on multiple issue areas and multiple sides of different issues. Having started my career at EPA, having worked on the Hill for two different members who didn't agree on every issue, and then working in the private practice, where I've worked on behalf of different clients — I don't think I'm biased. I certainly have no fiduciary arrangements with any of my former clients or my former law firm. I don't benefit financially from anything like that. And I think there's been enough distance on the EPA issues that I've worked on in the past where I don't believe I have bias in any particular way on any of these issues. But I think the experience that I've had working as a consultant, working on the Hill, working as a career employee of the agency, has really prepared me well for this job at this point in my life.

**WP:** For someone who is so often described as low-profile, this doesn't seem the type of job that you can really avoid the spotlight. How do you feel about that part of it?

**Wheeler:** I really did not seek this job out, to be acting administrator. I was very content being the deputy. So I'm going to have to deal with that. But I have been in D.C. now for over 25 years. I realize that I'm walking into a job that's going to be a lot more high-profile than I would have wanted. But I really do think [that] my background, at this point in time, that this is the right job for me.

[https://www.washingtonpost.com/news/energy-environment/wp/2018/07/06/incoming-epa-chief-this-is-the-right-job-for-me/?utm\\_term=.4ca27707f7d8](https://www.washingtonpost.com/news/energy-environment/wp/2018/07/06/incoming-epa-chief-this-is-the-right-job-for-me/?utm_term=.4ca27707f7d8)

#### **EPA's relief and worries after scandal-plagued chief's exit** PBS

WASHINGTON — Taking over from an ambitious predecessor known for seeking out the rich, powerful and conservative, the Environmental Protection Agency's newly named acting chief has promised to reach out to anxious staffers throughout the demoralized agency and to lawmakers of both political parties.

By late afternoon Friday, there had been no public comment from either Scott Pruitt, whose resignation President Donald Trump announced Thursday after months of Pruitt's ethics scandals, or **Andrew Wheeler**, the Washington veteran and former coal lobbyist who Trump announced as the agency's acting head.

In an email sent out to EPA staffers Thursday night and obtained by the Associated Press, Wheeler said he was honored to take temporary leadership of the agency where he started his Washington career in the early 1990s, as an EPA employee dealing with toxic substances and other matters. "I look forward to working hard alongside all of you," Wheeler wrote agency employees.

Pruitt, Oklahoma's attorney general at the time of his EPA appointment, had embraced the perks of office in Washington. He instituted unusual and costly round-the-clock protection for himself, flew premium class to Europe and North Africa, and directed agency staffers to help seek housing for his family, high-dollar employment for his wife, and pleasures such as luxury lotion and tickets to top sporting events.

Trump had praised Pruitt for his regulation-trimming ways at EPA. On Thursday, however, Trump said Pruitt himself had concluded the EPA chief's **ethics scandals** were too much of a distraction and was stepping down.

Some EPA staffers linked to Pruitt's tumultuous 17-month tenure feared for their jobs Friday, former top staffers under Pruitt said. That included the roughly 20 members of a security detail Pruitt's EPA had created to guard him around the clock.

The guards were originally trained for investigating environmental crimes. The agency's security officials are expected to decide what level of protection Wheeler needs.

"There's definitely that fear" of a shake-up among Pruitt's remaining political appointees, said Kevin Chmielewski, the former deputy chief of staff who fell out of favor with Pruitt after questioning spending. "This is the follow-up stories, the people's lives he's affected, going down to the agents and everyone else."

Some scientists and other career staffers, who learned of Pruitt's departure through news and social media on Thursday, quietly expressed relief. Elizabeth Southerland, who quit last year as the science director at the agency's Office of Water, said after hearing Thursday and Friday from many still at the agency.

Wheeler's public statements show him to be a skeptic, like Pruitt, about the extent to which coal, oil and gas emissions drive climate change, something that mainstream science says is indisputable fact.

After leaving his four-year stint at the EPA in the 1990s, Wheeler became the top staffer for the Senate's most ardent challenger of manmade climate-change, Republican Sen. James Inhofe of Oklahoma. Wheeler then went to work as a lobbyist for top coal companies and other businesses and interests.

In a hearing on his appointment as the agency's deputy administrator last November, Wheeler described himself as someone who "always tried to find common ground and work across the aisle" in Washington.

Where Pruitt openly criticized the work of EPA employees under the Obama administration, Wheeler at the Senate committee hearing made a point of praising the agency's career staffers as "some of the most dedicated and hard-working employees" in federal government.

Wheeler told the Washington Examiner earlier this year he was focusing on repairing relationships with EPA career staff who bristled at Pruitt's leadership.

At the EPA, staffers expect Wheeler to stick to the agenda set by Pruitt and Trump: Cutting environmental regulations that the Trump administration and industries see as unnecessarily burdensome to business, Southerland, the former water official, said.

"There's not a single person who doesn't think that will happen," Southerland said of the current EPA staffers she has talked to.

However, "they think at least the contemptuous behavior will stop," she said. She was referring to allegations that Pruitt ignored all but his own political appointees at the agency, and used his office for personal gain.

EPA's press office sent out biographical information on Wheeler late Friday, but did not respond to interview requests for him.

<https://www.pbs.org/newshour/politics/epas-relief-and-worries-after-scandal-plagued-chiefs-exit>

## **Pruitt Is Gone. But These Five E.P.A. Policy Battles Are Still Ahead.**

NYT

Scott Pruitt is gone. But the big regulatory rollbacks he set in motion at the Environmental Protection Agency are still very much alive.

The E.P.A.'s new acting administrator, Andrew Wheeler, will pick up where Mr. Pruitt left off, working to scale back rules on power plant emissions, vehicle standards and water pollution. Environmentalists have already vowed to fight these moves.

In substance, at least, Mr. Wheeler is expected to closely resemble his predecessor, carrying out President Trump's wishes to dismantle Obama-era climate policy and reorient the E.P.A. in a more industry-friendly direction. But Mr. Wheeler's low-key style and deep familiarity with Washington — he was an E.P.A. official and a Senate Republican staff member for nearly two decades before becoming an energy lobbyist in 2009 — could make him more effective at deregulation than Mr. Pruitt, observers said.

"Pruitt was certainly interested in the politics of these issues, but he was not always as involved in the policymaking," said Jeffrey R. Holmstead, a partner at the firm Bracewell and a former E.P.A. air chief. "Whereas Andy understands how to work with E.P.A. staff to get

Here are five big E.P.A. policy battles that lie ahead under Mr. Wheeler's tenure:

### **1. Shrinking Obama's Signature Climate Policy**

In 2015, President Barack Obama finalized the Clean Power Plan, a sweeping rule to cut carbon dioxide emissions from coal-fired power plants and the centerpiece of his plan to tackle global warming. President Trump, who called the plan "stupid" and "job-killing," ordered a repeal, and Mr. Pruitt formally began to undo it in October.

The E.P.A. is still legally obligated to regulate greenhouse gas emissions. So, under Mr. Pruitt, the agency drafted a much weaker alternative to the Clean Power Plan that would require only

modest tweaks to existing coal plants. This proposal still has to go through public comment and review before it can be finalized, and environmental organizations have said they will challenge it in court.

Some conservatives have urged the E.P.A. to take a bigger step and refuse to regulate greenhouse gases altogether, by overturning a 2009 legal opinion known as the endangerment finding. But Mr. Wheeler, who has questioned the established science on climate change, appeared to shy away from this option during his Senate confirmation hearing for his current post, telling Democrats he considered the finding "settled."

## **2. Fighting With California Over Vehicle Standards**

The E.P.A. has also been working with the Transportation Department to loosen Obama-era rules on greenhouse gas emissions from cars and light trucks. Their proposal, which is under review by the White House, would seek to halt any rise in fuel-economy standards after 2021 and rescind California's authority to set its own, tougher standards for automobiles.

California has vowed to challenge this move in court, and some automakers have expressed unease at a legal fight that could drag on for years and potentially fracture the nation's vehicle market. One question is whether Mr. Wheeler will try to negotiate a compromise with California and other states in order to avoid risky litigation.

"This will be an early test," said Jody Freeman, a law professor at Harvard who was the counselor for energy and climate change in the Obama White House. "Does he follow Pruitt and take a big legal risk by aggressively going after California? Or does he try to pull back in search of a deregulatory result that everyone can live with?"

## **3. Scaling Back the Clean Water Rule**

Last year, Mr. Pruitt signed a proposal to pare back an Obama-era regulation known as the Waters of the United States rule, which sought to clarify which streams and wetlands get automatic protection under the Clean Water Act. Farmers and developers had criticized the Obama-era policy as overly intrusive, and Mr. Pruitt sought to suspend the rule while writing a new, much narrower regulation that would extend protections to fewer waterways.

But that proposal faces an uncertain fate in the courts: In drafting a replacement, Mr. Pruitt's E.P.A. planned to follow guidelines laid out by Justice Antonin Scalia in 2006 — in an opinion that did not receive majority support on the Supreme Court. Mr. Wheeler will be tasked with trying to write a regulation that is legally defensible.

## **4. Changing the E.P.A.'s Use of Science**

In April, Mr. Pruitt unveiled a proposal to change the way the E.P.A. relies on scientific research, by limiting the use of studies in which the underlying data is not publicly available. Scientific researchers criticized the move, noting that the proposal could exclude some of the most important studies available on the harms from air pollution or pesticides, because those studies frequently redacted confidential health information about their participants.

Mr. Wheeler is expected to move forward on this policy, but he may be forced to make changes. Several business groups, including pesticide makers and the National Association of Home Builders, recently expressed worry that Mr. Pruitt's proposal was overly broad.

## **5. Finding a Compromise on Biofuels**

Before his resignation, Mr. Pruitt came under fire from a number of Senate Republicans — not because of his ethics issues, but because of ethanol.

In recent months, Mr. Pruitt exempted more than two dozen small oil refineries from a mandate to use renewable fuels, like ethanol made from corn. Behind the scenes, he also worked to revise the E.P.A.'s biofuels rules to lighten the burden on the oil industry. But those moves provoked the ire of corn-state senators like Charles E. Grassley, Republican of Iowa, who threatened to call for Mr. Pruitt's resignation.

Some experts think that Mr. Wheeler may try to steer clear of this fight altogether. In a research note to clients on Thursday, analysts at ClearView Energy Partners wrote that the E.P.A. could now be less inclined to revamp the biofuels mandate and offer exemptions to small refineries, "particularly after the quagmire these decisions created."

<https://www.nytimes.com/2018/07/06/climate/pruitt-wheeler-epa.html>

**Pruitt grants loophole to 'super polluting' diesel truck manufacturers on last day at EPA**  
The Hill

The Environmental Protection Agency on Friday granted a loophole to allow increased manufacturing of a kind of diesel freight truck known as "super polluting."

The move, which came on embattled administrator **Scott Pruitt's** last day on the job, is being harshly criticized by environmentalists and lung health advocates, according to The New York Times.

The EPA confirmed to The Times that through the end of next year, the agency will not enforce a previous cap on manufacturers making "glider trucks," and hopes to permanently repeal the cap. Glider trucks combine older engines—that do not meet modern emissions requirements—with newer truck bodies. The Times reported that small fleet owners have sought out glider trucks in order to evade emissions regulations, as they are cheaper to run.

Some manufacturers were making thousands of these types of trucks, and will now be permitted to return to those levels.

Molly Block, a spokeswoman for the EPA, told The Times that the agency is "exercising its enforcement discretion," allowing companies to ignore the legal limits.

Environmental groups have slammed the move, saying that the loophole will allow for dramatically increased air pollution from diesel trucks.

The move came late Friday, hours after Pruitt submitted his resignation following a series of ethical scandals. Pruitt had long pushed for the loophole, saying that the EPA did not have the authority to tamper with manufacturers' production.

<http://thehill.com/policy/energy-environment/395923-pruitt-grants-loophole-to-super-polluting-diesel-truck>

#### **Sources: EPA blocks warnings on cancer-causing chemical**

Burying the formaldehyde study is part of an effort by Pruitt and aides to undermine EPA's research program, current and former officials tell POLITICO.

Politico

The Trump administration is suppressing an Environmental Protection Agency report that warns that most Americans inhale enough formaldehyde vapor in the course of daily life to put them at risk of developing leukemia and other ailments, a current and a former agency official told POLITICO.

The warnings are contained in a draft health assessment EPA scientists completed just before Donald Trump became president, according to the officials. They said top advisers to departing Administrator Scott Pruitt are delaying its release as part of a campaign to undermine the agency's independent research into the health risks of toxic chemicals.

Andrew Wheeler, the No. 2 official at EPA who will be the agency's new acting chief as of Monday, also has a history with the chemical. He was staff director for the Senate Environment and Public Works Committee in 2004, when his boss, then-Chairman Jim Inhofe (R-Okla.), sought to delay an earlier iteration of the formaldehyde assessment.

Formaldehyde is one of the most commonly used chemicals in the country. Americans are exposed to it through wood composites in cabinets and furniture, as well as air pollution from major refineries. The new assessment would give greater weight to warnings about the chemical's risks and could lead to stricter regulations from the EPA or class-action lawsuits targeting its manufacturers, as frequently occurs after these types of studies are released.

"They're stonewalling every step of the way," the current official said, accusing political appointees of interfering with the formaldehyde assessment and other reports on toxic chemicals produced by EPA's Integrated Risk Information System. Industry has long faulted the IRIS program, the agency's only independent scientific division evaluating the health risks of toxic chemicals, whose assessments often form the basis for federal and state regulations.

The current official and former official requested anonymity out of fear for their jobs and the impact that speaking out could have on the IRIS program.

Interfering with the formaldehyde study is one of several steps Trump's EPA has taken to side with the businesses the agency is supposed to regulate and undermine the agency's approach to science, critics say. Public health advocates also expressed alarm after Pruitt replaced academic



scientists with industry advocates on the agency's influential science advisory boards and sought to limit the types of human health research the EPA can rely on in rulemakings.

#### ADVERTISING

The officials said Trump appointees have required that career officials receive their permission before beginning the required internal review of the formaldehyde study and have canceled key briefings that would have advanced it. That interference came after EPA career scientists revised the study once already last year to insulate it from political controversy, they said.

In a statement, EPA denied that the assessment was being held back.

"EPA continues to discuss this assessment with our agency program partners and have no further updates to provide at this time," EPA spokeswoman Kelsi Daniell said. "Assessments of this type are often the result of needs for particular rulemakings and undergo an extensive intra-agency and interagency process."

But as long ago as January, Pruitt told a Senate panel that he believed the draft assessment was complete.

Five months later, it has yet to see the light of day. Meanwhile, internal documents show, a trade group representing businesses that could face new regulations and lawsuits if the study were released had frequent access to top EPA officials and pressed them to either keep it under wraps or change its findings.

"As stated in our meeting, a premature release of a draft assessment ... will cause irreparable harm to the companies represented by the Panel and to the many companies and jobs that depend on the broad use of the chemical," Kimberly Wise White, who leads the American Chemistry Council's Formaldehyde Panel, wrote in a Jan. 26 letter to top officials at the EPA. The panel represents companies including the Koch Industries subsidiary Georgia-Pacific Chemicals LLC that could face higher costs from stricter regulations or lawsuits.

Nearly a million jobs "depend on the use of formaldehyde," White's letter argued.

The holdup is attracting attention on Capitol Hill, where Democrats have already expressed alarm, arguing that the Trump administration has allowed politics to interfere in EPA's scientific assessments of threats such as toxic pollution and climate change.

The agency must "move past politics and focus on its job of protecting human health" by releasing the formaldehyde study, Sen. Ed Markey (D-Mass.) said in a statement to POLITICO. "Because formaldehyde can be found in everything from wood products to women's hair straighteners, the public health risks are substantial," Markey said. "Delaying the EPA's latest assessment of the health risks of formaldehyde only further endangers the health of Americans." Public health advocates have similarly expressed fears that the Trump administration has allowed EPA to be captured by the industries it regulates. The revelations about the formaldehyde study come after Pruitt removed academic scientists from the agency's influential science advisory boards and in many cases replaced them with industry advocates, and after he proposed a policy to limit the agency's use of human health data while offering a carve-out for confidential industry studies.

"At every corner, you see the agency trying to either minimize the role of science or manipulate the role of science or just ignore the work of scientists in doing the critical work to ensure that human health and the environment is protected," said Jennifer McPartland, a senior scientist with the Environmental Defense Fund's health program.

POLITICO also reported in May that Trump administration officials, including EPA chief of staff Ryan Jackson, sought to delay an HHS study finding that nonstick chemicals pose health dangers at a lower level than EPA has said is safe.

Insiders anticipate few major policy changes under Wheeler, who is widely expected to continue Pruitt's deregulatory agenda and is well-versed in chemicals issues. He began his career in EPA's chemical safety office, and after leaving Inhofe's staff lobbied for several chemicals companies, including Celanese Corp., a major formaldehyde manufacturer and ICOR International, a refrigerants manufacturer that was recently acquired by Chemours Co., a DuPont spin-off. A Celanese spokesman said Wheeler worked only on the Renewable Fuels Standard for the company, although Wheeler's disclosure forms describe his lobbying as being on the broad topic of "chemicals issues." Wheeler is not barred from working on chemicals issues under the recusal statement he signed in May.



Decades' of research has linked formaldehyde to nose and throat cancer and respiratory problems, and newer research has suggested the connection to leukemia — controversial conclusions that would gain significant credence if EPA formally adopts them. The new assessment affirms those links to leukemia, nose and throat cancer and other ailments, according to the current and former officials familiar with its findings.

The new assessment could lead the EPA to impose stricter regulations of chemicals refineries or wood products and could spur class-action lawsuits from cancer patients attempting to hold companies responsible for their illnesses.

The agency officials said the political aides blocking the assessment include Jackson and Richard Yamada, a former staffer for House Science Chairman Lamar Smith (R-Texas) who is now a top official in EPA's Office of Research and Development. And they said Nancy Beck, who criticized the IRIS program in her previous job as a top chemical industry expert, is now helping to stymie the program's assessments in her new post as head of EPA's chemical safety office. Jackson, Yamada and Beck did not respond to requests for comment.

The EPA spokeswoman disputed the accusations and said Yamada and Jackson have, in fact, requested briefings on the assessment.

The current EPA official told POLITICO that political appointees have managed to avoid creating written evidence of their interference with the formaldehyde assessment by refusing to send emails or create other records that eventually could become public, instead using what the official described as "a children's game of telephone."

By blocking the report at the first step of the IRIS review process, political appointees are keeping it from being reviewed by the National Academies of Sciences, an independent panel of the country's top scientists that must weigh in on all such risk assessments. EPA has already paid the academies \$500,000 for that review, the highest level of scrutiny a scientific study can receive, but the work cannot start until Pruitt's aides send the study.

"If the administration was really keen on protecting public health, why wouldn't they send this to the National Academy and give it a really good review?" the former EPA official asked. "If it survives that review, then there's a public health problem that needs to be dealt with, and if it doesn't survive the review, then they can point the finger at IRIS and say, 'You're dead.'"

The former official said there would be only one reason not to ask the country's top experts whether they agree with the analysis: "You don't want the answer."

Public health advocates say the administration's attacks on science have had especially significant implications for the IRIS program. The small office of about 35 experts pores over the huge body of existing research on chemicals, including industry-backed studies aimed at proving the substances safe, to independently assess their risks. While purely scientific, the program's reviews are looked to by regulators not just at EPA, but also in the states and around the world, often paving the way for new or more stringent regulations.

But industry has long targeted the program, arguing it uses an opaque process to decide which studies to rely on and which research to give credence to when findings conflict.

The American Chemistry Council, Beck's former employer, spent more than \$7 million last year lobbying EPA and Congress on issues including IRIS, formaldehyde and the policy to limit EPA's use of human health research. Chemicals manufacturers, including Hexion, one of the country's largest manufacturers of formaldehyde, have also spent tens of thousands of dollars on lobbying related to the program this year.

A National Academies panel agreed with some of industry's criticisms of the IRIS program in a blistering review of an earlier iteration of the formaldehyde assessment that recommended major changes to how IRIS decides how much weight to give conflicting studies, although it did not attack the substance of its findings about the health effects of formaldehyde. Critics of the IRIS program have pointed to that review frequently as they have sought to kill it, including in an appropriations battle this spring. The EPA spokeswoman also pointed to that assessment in her statement. "The National Academy of Science and Congress in legislative reports have for years been highly critical of EPA's previous assessments involving formaldehyde," she said.

But the EPA has overhauled the program since then, hiring a new director for IRIS and a new head of the National Center for Environmental Assessment, in which it is housed. The changes have received high marks from the National Academies in two more recent reviews, one in 2014 and one this past April. The latest formaldehyde assessment is expected to demonstrate further

progress implementing the academies' recommendations, potentially undermining industry critiques of the overall IRIS program if it were to be released.

Although efforts to kill EPA's independent scientific arbiter have so far failed, EPA officials and public health advocates say the program has been significantly hobbled under an administration with close ties to the chemicals industry.

White, the top staffer for the American Chemistry Council's Formaldehyde Panel, wrote the EPA three times between September 2017 and January 2018, urging the agency to incorporate industry-funded research that found no link between formaldehyde and leukemia, and arguing that the studies shifted the scientific consensus away from the conclusion that it does. In November, Pruitt appointed her to the agency's influential Science Advisory Board.

Less than a week after the council's Jan. 24 meeting with EPA, Pruitt himself confirmed that the report had been complete for months. During a Senate hearing at the end of January, Markey asked Pruitt for an update on the formaldehyde assessment, saying it was his understanding "that the EPA has finalized its conclusion that formaldehyde causes leukemia and other cancers and that [the] completed new assessment is ready to be released for public review, but is being held up."

"You know, my understanding is similar to yours," Pruitt replied, promising to follow up.

Markey reminded Pruitt of the exchange in a May 17 [letter](#). In a response Thursday, the agency's principal deputy assistant administrator for science, Jennifer Orme-Zavaleta, said EPA "continues to discuss the formaldehyde assessment internally and has no further updates to provide at this time."

<https://www.politico.com/story/2018/07/06/epa-formaldehyde-warnings-blocked-696628>

## **New Railroad Switchers, Clean Buses: D.C. Unveils Plans For Spending Volkswagen Settlement**

WAMU

The District says it plans to spend its portion of a national settlement with Volkswagen on new locomotive switchers for Union Station and electric buses that serve communities more adversely affected by air pollution.

Under a [2016 agreement](#), Volkswagen will pay out close to \$15 billion to settle U.S. claims over its use of software to cheat emissions testing of its diesel cars. The agreement includes \$2.7 billion for an Environmental Mitigation Trust that is divided up among the 50 states, D.C. and the U.S. territories. To gain access to the money, each state and territory has to submit a spending plan focusing on projects that would decrease emissions of nitrogen oxides and other pollutants. D.C.'s final plan, which was [unveiled on Friday](#), puts the city's \$8.125 million portion of the settlement towards three projects: \$2.3 million to help Amtrak upgrade diesel-powered switcher locomotives at Union Station to cleaner alternatives; \$5 million to buy new electric buses as well as electric and natural-gas trash trucks; and \$89,000 on rebates for tailpipe pollution reduction retrofits.

According to D.C. officials, a large part of the money will go to wards 5, 7 and 8, which have the largest share of low-income and African-American residents in the city, as well as some of the worst health indicators.

"We've prioritized projects that will provide a direct health benefit to vulnerable population within the District. We use three indicators to identify the wards that are the most vulnerable and impacted by air pollution. One of the indicators was asthma rates, we also looked at mortality rates from cancer and heart disease, and we looked at income levels," explained Adriana Hochberg, the chief of staff at the Department of Energy and Environment and the point person for the development of the city's plan.

The project to replace the switcher locomotives was chosen because they travel from Union Station to the Ivy City rail yard in Ward 5, and are known as "power plants on wheels" for the amount of diesel fuel they use. Additionally, a large portion of the \$5 million for cleaner buses and trash trucks will be set aside for those with routes traveling through wards 7 and 8.

In Maryland, the Department of Environment is [finalizing the state's plans](#) for the \$75.7 million it expects to get from the VW settlement. Virginia is [still finishing its own plan](#) for the \$87.5 million the commonwealth is set to get, but late last year the Department of Environmental Quality said it

would use some of the money to pay for a statewide network of charging stations for electric cars.

<https://wamu.org/story/18/07/06/new-railroad-switchers-clean-buses-d-c-unveils-plans-spending-volkswagen-settlement/>

## **Starbucks is eliminating plastic straws from all stores**

CNN

The coffee company announced Monday that it will phase out plastic straws from all of its stores by 2020.

The changes will help Starbucks (SBUX) eliminate more than 1 billion plastic straws per year, the company said.

Plastic straws contribute to ocean pollution and pose a danger to marine life. Some governments have begun banning them.

To eliminate straws, Starbucks is transitioning from the flat, plastic lids that require them, to ones that feature a raised lip you can drink from. The new designs have drawn comparisons to an adult "sippy cup."

Frappuccino drinks will still be served with dome lids, but with straws made from paper or compostable plastic. Coffee drinkers who prefer straws for other beverages can request the new eco-friendly versions.

Some Starbucks drinks, like cold brew with cold foam, are already served in cups with strawless lids.

Starbucks will begin rolling out the new lids for all drinks this fall, starting with stores in Vancouver, Canada, and Seattle.

In a statement, CEO Kevin Johnson called the move away from plastic straws a "significant milestone" in the company's sustainability efforts.

Starbucks had already committed \$10 million to help develop recyclable, compostable cups for hot drinks.

Other companies have been ditching plastic straws as bans on the item have gone into place. Last month, McDonald's (MCD) said that it would start switching to paper straws in the United Kingdom and Ireland in September. The transition will be complete in 2019, the company said.

**Related: Plastic straw makers brace for bans**

The announcement from McDonald's followed an April proposal by the UK government to ban plastic straws in the country. In May, the European Union also suggested a ban on some plastic items, including straws.

In the United States, local governments are already putting similar restrictions into place.

Seattle's ban on plastic straws and utensils went into effect last week. Oakland and Berkeley, California, and other cities have also banned the use of disposable straws.

The UK government said that 1 million birds and more than 100,000 sea mammals die each year from eating and getting tangled in plastic waste.

"Plastic straws that end up in our oceans have a devastating effect on species," said Erin Simon, director of sustainability research & development and material science at World Wildlife Fund, US, in a statement. "We hope others will follow in [Starbucks'] footsteps."

Starbucks said that it is the largest food and beverage retailer to have promised to get rid of plastic straws.

Nicholas Mallos, director of Ocean Conservancy's Trash Free Seas program, called Starbucks' decision a "shining example" of how companies can help fight ocean pollution.

"With eight million metric tons of plastic entering the ocean every year, we cannot afford to let industry sit on the sidelines," he said in a statement.

<http://money.cnn.com/2018/07/09/news/companies/starbucks-plastic-straws/index.html>

## **Opinion**

**BILL CRAWFORD — PERS financial soundness not so hunky-dory after all**

MBJ

Here we go again. PERS is bumping employer contribution rates, again, to try and keep the retirement system actuarially sound. The Associated Press reported it will cost taxpayers an extra \$100 million annually to do so.

In 2011, Gov. Haley Barbour established his PERS Study Commission to look for ways to stabilize PERS and keep it solvent. At the time Barbour noted, "In 2001, PERS was financially strong with a funded status of 88 percent; a decade later, the funded status has declined to 64.2 percent, despite large contribution increases by both employees and taxpayers (public employers) in recent years."

Despite annual comments from PERS leadership, particularly outgoing Executive Director Pat Robertson, that everything was hunky-dory, this new bump in employer contributions reveals either the naivety or the deception of those comments.

PERS is worse off now than seven years ago and heading down hill. The funding level is hovers at 61%, the funding gap has jumped to nearly \$17 billion from \$12 billion, and the number of retirees drawing out has steadily increased while the number employees paying in has actually decreased. (For a detailed analysis, see the recent Jackson Jambalaya blog on PERS.)

"Some have questioned why Governor Barbour would call for a study of the 'financial, management, and investment structure of PERS' when I have repeatedly reported that we are financially sound," Robertson told retirees immediately after the PERS Study Commission report was issued on Dec. 14, 2011. "Governor Barbour formed the Commission after citing concerns about increases in the employer contribution rate as a percentage of public payroll from 2005 (9.75%) to 2012 (12.93%). These increases were not made lightly or without consideration of their significance. They were made to ensure that PERS remains on sound financial footing and to counteract the effects of downturns in the financial markets that began in 2001 but that hit hardest in 2008 and 2009, a period now being referred to as the Great Recession."

Well, since then investment returns at PERS have averaged 11.4%, but things have not gotten better.

Later in 2012, as PERS' funding shortfall continued to grow, Robertson and the board jumped the employer contribution rate to 15.75% effective for 2014 saying that fix would get the funding level up to acceptable levels by 2042.

Oops. Robertson and the board now say that's not working, so they must jump the employer contribution rate to 17.4% effective for 2019. It's not investment returns, so something else must be wrong. Perhaps it's what Barbour and his commission suggested, PERS has fundamental flaws.

Meanwhile, legislative leaders, particularly Lt. Gov. Tate Reeves, have kept their heads buried in the sand on PERS. As State Treasurer, Reeves was a PERS board member from 2003 through 2011, so observed PERS deterioration first hand. Through their inaction, Reeves and his colleagues will see taxpayers hit with an extra \$100 million to fund PERS.

Escalating costs to fund a flawed retirement plan are what caused Barbour to create his study commission. If legislative leaders had acted on the commission's recommendations, PERS would be in better shape and retirees more secure.

Reckon legislators and retirees will fall for this new "fix" too?

<http://msbusiness.com/2018/07/bill-crawford-pers-financial-soundness-not-so-hunky-dory-after-all/>

---

Connect with us



Mississippi Department of Environmental Quality | 515 East Amite Street, Jackson, MS 39201

[Unsubscribe marraccini.davina@epa.gov](mailto:marraccini.davina@epa.gov)

[Update Profile](#) | [About our service provider](#)

Sent by [rwilbur@mdeq.ms.gov](mailto:rwilbur@mdeq.ms.gov) in collaboration with



Try it free today